

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

THEODORE WAGNER, #98565-071,

Plaintiff,

v.

UNKNOWN OFFICERS,

Defendants.

§
§
§
§
§
§
§
§
§
§


Civil Action No. **3:11-CV-2449-L**

ORDER

Before the court is Plaintiff Theodore Wagner's Request to Proceed *in Forma Pauperis*, filed on September 16, 2011. The case was referred to Magistrate Renee Harris Toliver, who entered Findings, Conclusions and Recommendation of the United States Magistrate Judge ("Report") on September 22, 2011, recommending that Petitioner's in forma pauperis motion be denied, and the case be dismissed with prejudice based on 28 U.S.C. § 1915(g)'s "three strike" provision. Petitioner mailed objections to the Report on September 28, 2011, which were received by the court on October 3, 2011. Petitioner asserts a myriad of objections, claiming he is a patriot, but none of his objections specifically addresses the issue of why his claim is not barred by 28 U.S.C. § 1915(g).

Having reviewed the pleadings, file, and record in this case, and the findings and conclusions of the magistrate judge, the court determines that the findings and conclusions are correct. They are therefore **accepted** as those of the court; Plaintiff's Request to Proceed in Forma Pauperis is **denied**; and the case is **dismissed** pursuant to 28 U.S.C. § 1915(g). Such dismissal is **with prejudice** to refiling an *in forma pauperis* lawsuit raising the same claims, but **without prejudice** to the refiling this lawsuit with the requisite filing fee.

It is so ordered this 12th day of October, 2011.


Sam A. Lindsay
United States District Judge